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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.9368 of 2007

Nutan Puspak Premises Co-op. Society Ltd. ..Petitioner

V/s.

Regional Provident Fund Commissioner & Anr. ..Respondents

Mr. A.D.Shetty with Mr.K.D.Jha and Ms. Rita Joshi,
Advocate for the Petitioner
Mrs. S.V.Barucha, Advocate for the Respondent

CORAM : B.H.MARLAPALLE,J.
DATED : 19th December, 2007

P.C.

Heard Mr. Shetty, the Learned Counsel for the Petitioner Society. Mrs. Barucha appears for the Respondents.

2. The Petitioner Society is aggrieved by the Order dated 22-10-2007 and communicated to it on 31-10-2007 passed under Section 7B of the Employees Provident Fund and Miscellaneous Provisions Act, 1952 (P.F.Act for short) and also the subsequent action of the Respondent No.1 approaching the Bombay Mercantile Bank and demanding the transfer of deposits under Section 8F of the P.F. Act. The Learned Counsel for the Petitioner Society states that pursuant to the letter dated

5-12-2007 addressed by the Respondent No.1 to the Branch Manager, Bombay Mercantile Bank, Musafir Khana Branch, Crofurd Market, Mumbai, an amount of Rs. 18,96,916/- has already been transferred by the Bank to the account of Respondent No.1. The further grievance by the Learned Counsel for the Petitioner Society is that when it sought to present the Review Petition under Section 7B of the P.F. Act and prayed for stay to the order under Review, the office of Respondent No.1 did not accept and registered the same.

3. It is hereby directed that if a proper Review Petition as contemplated under Section 7B or 7A(4) of the P.F. Act is presented to Respondent No.1 within a period of one week from today, the said shall be heard and decided on its own merits as expeditiously as possible and preferably within one month from its presentation. In the meanwhile, the Respondent No.1 will not proceed to take any further coercive steps against the petitioner till the review petition is decided.

4. Petition disposed in terms of the above directions.

[B.H.MARLAPALLE,J.]